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UNITED STATES DISTRICT COURT

for the

District of Oregon

Eugene Division

Case No.

6:20-cv-00471 MK

(to be filled in by the Clerk's Office)

Gordon Alan Gefroh

*Plaintiff(s)*

(Write the full name of each plaintiff who is filing  
this complaint. If the names of all the plaintiffs  
cannot fit in the space above, please write "see  
attached" in the space and attach an additional

Beth Crawford OSB# 082957;  
Frederick Boss OSB# 911424, Deputy Attorney  
General;  
Tiffany Deaton;  
Locke Williams OSB# 921578

*Defendant(s)*

(Write the full name of each defendant who is  
being sued. If the names of all the defendants  
cannot fit in the space above, please write "see  
attached" in the space and attach an additional  
page with the full list of names. Do not include  
addresses here.)

**PLAINTIFF'S DECLARATION TO [60] FINDINGS AND  
RECOMMENDATIONS**

Plaintiff Gordon Gefroh declares to [60] FINDINGS AND RECOMMENDATION ("F&R").

Plaintiff requests leave, and 7 days more time, to file a Supplemental document, to add some case law.

Plaintiff requests that the Court address specifically the issue, recognized by the Magistrate as “central,” that the Benton County Circuit Court (“Benton County Court”) is Federal in nature, and derives its power and jurisdiction from the U.S. Constitution, and can operate only within the boundaries of Federal areas described in U.S. Const. 1:8:17 (hereafter “Federal areas”); and that the Benton County Court lacks jurisdiction over the divorce case (20DR01906) because none of the relevant facts are connected with any land in the Federal areas. This issue is complicated and nuanced; see further discussion below. Briefly: Is Gordon under 40 U.S.C. 255, 3111, 3112, ORS 272.030, or under the Supreme Law of the Land?

Plaintiff requests that the Court address specifically the issue of “no man put asunder” and the fact that divorce is illegal under the common law, and that common law is the law that is applicable to Gordon because there are no facts to support the conclusion of “person”.

Further amendment of the Complaint would **not** be futile because Gordon intends to include in his upcoming Third Amended Complaint the allegations of fact and citations of law made in this document, if this Court does not reject them in its upcoming ruling on the [60] Report and Recommendations.

The [60] Report and Recommendation states (page 2):

Plaintiff is a resident of Philomath, Oregon in Benton County.

To clarify: Gordon lives in Philomath Oregon, outside the boundaries of the Federal areas.

The [60] Report and Recommendation states (page 2):

Central to Plaintiff's suit is his claim that "Benton County Court is operating under color of law outside the constitutionality of the relevant Oregon statutes because it is operating outside the metes and bounds of the Federal areas."

So the Magistrate recognizes the "central" issue, yet never deals with it. There is no recommendation on whether the Court should rule in favor of this issue (in other words, that Benton County Court has jurisdiction only within the metes and bounds of the Federal areas) or against this issue.

To clarify: 1940 was the beginning of the transfer of the seat of government to Washington, DC. In 1940, all of "State of Oregon" became presumed a Federal area without evidence of the "purchase" (using gold/silver coin) of "places" (not "real estate" or "property" or "interest" etc.) pursuant to U.S. Const. 1:8:17 or by the following unconstitutional statutes that deceitfully use altered words: 40 U.S.C. 255 [R.S. §355; 46 Stat. 828], ORS 272.030. This removes Gordon's land from the Union state and loses the "guarantee" of IV:4 which is only guaranteed in Union States, not Federal areas. Where is the authority for displacement of Gordon's Article IV:4 guarantee? Where is the authority for displacement of Gordon's common law rights? Through these unconstitutional statutes, Gordon's land was converted to military use under 1:8:17, without "purchase" and without consent of the Oregon Legislature, but unlawfully so, as the land patents specify that the land is withdrawn from military use. Gordon received no gold/silver coin, as required under common law, from this purchase. If there was a purchase, Gordon wants the receipt. And Benton County Court is not a common law court (also known as a "court of record

having common law jurisdiction and a clerk and seal,” see Naturalization Act of 1790). Benton County Court requires a Bar Member to preside as judge, under Article VII (Amended), Section 2; a common law court, under Article VII (Original), Section 2, does not. The reason Article VII was amended was to allow Oregon courts to use Federal Reserve Notes for transactions instead of gold/silver coin. All three branches of government at all levels are populated and controlled by Bar Members, thus a coup has occurred.

In 1940, Congress passed 40 U.S.C. 255 (now renumbered as 3111 and 3112),<sup>1</sup> in response to five cases: *James v. Dravo Contracting Co.*, 302 U.S. 134; *Mason Co. v. Tax Commission*, 302 U.S.186; *Collins v. Yosemite Park Co.*, 304 U.S. 518; and *Adams v. U.S.*, 319 U.S.312. One of the underlying reasons for that act was a realization by Congress of the fact, adverted to by the Supreme Court at page 148 of its opinion in *James v. Dravo Contracting Co.*, that "a transfer of legislative jurisdiction carries with it not only benefits but obligations, and it may be highly desirable, in the interests of both the National Government and of the State, that the latter should not be entirely ousted of its jurisdiction." Thus were invented “concurrent” and “partial” jurisdiction; however, these are unconstitutional, as 1:8:17 makes no mention of anything but “exclusive” jurisdiction. See *United States v. Cornell*, 25 Fed. Cas. 646, No. 14,867 (C.C.D.R.I., 1819).

Oregon implemented that 1940 policy in 1964, by placing all of Oregon under the Uniform Commercial Code, and there has to be an international boundary line within which the Code is implemented; within that international boundary is international law. See Oregon Blue Book.

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<sup>1</sup> See Act of Congress of February 1, 1940 (54 Stat. 19; 40 U.S.C.A. 255), sometimes referred to as the act of October 9, 1940 (54 Stat. 1083).

The Magistrate never mentions 40 U.S.C. 255 3111, 3112 (“conclusively presumed” that there is no jurisdiction) and the associated remedy. There is also remedy under UCC 1-103, which states that all statutes are “to be in harmony with the common law” (Anderson). In common law there is no divorce. Courts place special emphasis and value on citations with numbers.

There is also no mention of “no man put asunder” and the fact that divorce is illegal under the common law. There is no mention of the issue that there are no facts alleged nor proved, in the Benton County Court, to support the conclusion of “person”.

The [60] Report and Recommendation states (page 3):

“Plaintiff, however, lists his sole injury as “mistake over Jurisdiction.” Id. at 13.”

However, Gordon will add, as injuries, the destruction of his marriage, the theft of his land, and the theft of money from his bank account.

The [60] Report and Recommendation states (page 3):

“(4) Plaintiff requests a “map of District 19” and “documents showing the boundaries of the land described by U.S.Const. 1:8:1”;

This is an error. It should be 1:8:17. In addition, “District 19” refers to a district of the American Bar Association; see the ABA Constitution and Bylaws (2021), Section 2. Oregon Bar members can only practice within the boundary lines of District 19.

## **DISCUSSION**

The [60] Report and Recommendation states (page 5):

“In order to prevail in a § 1983 claim, Plaintiff must prove: (1) Defendants subjected Plaintiff to conduct that occurred under color of state law; and (2) this conduct deprived the plaintiff of rights, privileges, or immunities guaranteed under federal law or the U.S. Constitution.”

## **I. Defendant Crawford’s Motion to Dismiss**

### ***(1) CRAWFORD’S CONDUCT OCCURRED UNDER COLOR OF STATE LAW***

Crawford acted “under color of state law” for the following reasons:

Gordon will allege that Crawford receives state funding and otherwise has relationship(s) with the state, sufficient to bring Crawford under the category of “state employment” in the sense of *Lugar v. Edmondson Oil Co., Inc.*, 457 U.S. 922, 935 n.18 (1982) (“[S]tate employment is generally sufficient to render the defendant a state actor.”). See *West v. Atkins*, 487 U.S. 42, 43, 54 (1988) (holding that “a physician who is under contract with the State to provide medical services to inmates at a state-prison hospital on a part-time basis acts ‘under color of state law,’ within the meaning of 42 U.S.C. § 1983, when he treats an inmate”).

The government accepted benefits from the unconstitutional behavior. Crawford acted with the help of county and state officials. County and state officials provided encouragement for Crawford to act. Crawford operated as a “willful participant” in joint activity with Benton County and State of Oregon or their agents, in the sense of *Benn v. Universal Health Sys.*, 371 F.3d 165, 167-68 (3d Cir. 2003). Benton County and State of Oregon failed to train Crawford adequately on the subject of where the Benton County court has geographical jurisdiction (within Federal areas, or without Federal areas? Is the seat of government Salem, or is the seat of government District of Columbia? Or both? Which one can Crawford practice in?), amounting to

deliberate indifference to the rights of persons with whom Crawford comes into contact, in the sense of *Connick v. Thompson*, 563 U.S. 51, 61 (2011).

The Magistrate does not mention the Ninth Circuit case law cited by Plaintiff, about “meeting of the minds,” showing that Crawford was indeed a “person” under § 1983:

“To prove a conspiracy between the state and private parties under [§] 1983, the [plaintiff] must show an agreement or meeting of the minds to violate constitutional rights. To be liable, each participant in the conspiracy need not know the exact details of the plan, but each must at least share the common objective of the conspiracy.” *United Steelworkers of Am. v. Phelps Dodge Corp.*, 865 F.2d 1539, 1540–41 (9th Cir. 1989) (en banc) (citations and internal quotation marks omitted); see also *Crowe*, 608 F.3d at 440; *Franklin*, 312 F.3d at 441; *Mendocino Env’tl Ctr. v. Mendocino Cty.*, 192 F.3d 1283, 1301–02 (9th Cir. 1999); *Gilbrook v. City of Westminster*, 177 F.3d 839, 856–57 (9th Cir. 1999); *Taylor v. List*, 880 F.2d 1040, 1048 (9th Cir. 1989). Conclusory allegations are insufficient to state a claim of conspiracy. See *Simmons*, 318 F.3d at 1161; *Radcliffe v. Rainbow Constr. Co.*, 254 F.3d 772, 783–84 (9th Cir. 2001); *Price*, 939 F.2d at 708–09. For a discussion of pleading requirements, see *infra* I.D.2.b and II.A.1.b.(1).

The [60] Report and Recommendations states (page 6):

As initially noted by Defendant Crawford, Plaintiff has alleged no facts to support the assertion that Crawford acted under color of state law, only that she was the initiator of a claim for divorce on behalf of his wife.

However, Crawford was not only the “initiator”, but also drafted 26+ orders for Williams to sign, and did other things to be determined in discovery. Were those 26+ orders a claim in the seat of government in Washington, D.C., or a claim in the seat of government in Salem? Everything Crawford did is a deprivation of Gordon’s rights. See also SAC, pages 5, 7, 8, 9, 10, 12.

The Guarantee Clause (U.S. Const. IV.4) states: “The United States shall guarantee to every State in this Union ...” which is a guarantee made to anyone living in a State in the Union, however there is NO such guarantee made to anyone living in a Federal Area.

This case is distinguished from *Polk County v. Dodson*, 454 U.S. 312 (1981) (private attorneys not state actors). The rationale of that case is this: “a public defender owes a duty of undivided loyalty to his client. A public defender therefore could not be sued as an agent of the State.” The facts are different, because Polk County public defender Martha Shepard was a public attorney assigned to represent plaintiff Dodson, opposing the State, whereas here, Crawford is the attorney opposing Gordon. Crawford is an agent of the State for reasons that will be determined in discovery. Crawford does not owe her client an “undivided loyalty” because Crawford’s “first duty is to the courts and the public” (*Corpus Juris Secundum*, volume 7, section 4), and for other reasons to be determined in discovery, just as it is the function of the administrator of a state hospital to protect the interest of the public, as well as that of his wards. Crawford also acts under color of state law while performing administrative and investigative functions. See *Imbler v. Pachtman*, 424 U. S. 409, 424 U. S. 430-431, and n. 33 (1976).

Crawford acted in other capacity(ies) than a private attorney, to be determined in discovery.

The [60] Report and Recommendations (page 7) refers to “the reasonable scope of Defendant Crawford’s involvement in the state court litigation”. However, Crawford’s involvement in the state court litigation was NOT reasonable because Crawford’s filings can only pertain to areas within the jurisdiction of the Benton County Circuit Court, in other words, areas subject to U.S.



Const. 1:8:17, where the seat of government is D.C., however the relevant land is without those areas, where the seat of government is Salem (or, technically, “Eugene City,” which won the vote).

Crawford did not act in any official capacity, and is not entitled to judicial immunity, because she is not properly in office as an attorney (due to lack of proper Oath of Office properly signed and filed, and due to the absence of a complete unbroken chain of documents connecting her with an Organic Law). Thus, she acted as a private individual.

In the alternative and without waiving the foregoing, Crawford acted under color of federal law (and thus subject to a Bivens claim) because Crawford acted as an agent of “State of Oregon” which is a federal entity (as will be shown in discovery; note that foreign laws as well as incorporation documents are facts to be proved, and the Federal Government is “foreign” to the States, and vice versa), and the acts of “State of Oregon” are federal in nature. Note that the Act of Congress admitting “Oregon” to the union does not mention “State of Oregon.” Note that the Constitution of Oregon (1857) does not create any entity called “State of Oregon,” and has never been amended to create any entity called “State of Oregon.” Its title seems to have been informally changed in the late 1800s (because the Legislature, without vote or comment, published the Constitution of Oregon with a new title), but has never been formally amended. Note that as a general rule, titles are not part of any law.

In the alternative and without waiving the foregoing, Crawford acted under color of federal law (and thus subject to a Bivens claim) because Crawford acted as an agent of “American Bar

Association” which is a federal entity (as will be shown in discovery; note that foreign laws as well as incorporation documents are facts to be proved, and the Federal Government is “foreign” to the States, and vice versa), and the acts of “American Bar Association” are federal in nature.

Each Government-official defendant, through the official’s own individual actions, has violated the Constitution. The alleged constitutional deprivation was the product of a policy or custom of the local governmental unit. The municipality (Benton County) is liable because an action taken pursuant to an official municipal policy of some nature caused the violation, and the municipality has caused an employee to violate plaintiff’s constitutional rights. Official municipal policy includes the decisions of a government’s lawmakers, the acts of its policymaking officials, and practices so persistent and widespread as to practically have the force of law, including a policy promulgated, adopted, or ratified by a local governmental entity’s legislative body, even including a policy of inaction.

The municipality is liable because the enforcement of a municipal policy or practice, or the decision of a final municipal policymaker, caused the violation.

## **II. State Defendants’ Motion to Dismiss**

### **A. Sovereign Immunity**

#### ***(2) DEFENDANTS’ CONDUCT DEPRIVED PLAINTIFF OF GUARANTEED RIGHTS***

Gordon has the right to keep his vow to stay married (granted by God, and protected by man’s law): “What God has joined together, let no man put asunder”, as guaranteed by (among others) the First, Ninth and Tenth Amendments, and Article I, Sections 1 through 46 of Oregon’s

Constitution. Note that “English common law as it existed at the time of the Revolution” forms part of the law of Oregon, as has been proclaimed by the Oregon Legislature. In English common law as it existed at the time of the Revolution, there is no divorce. To be a party to a divorce would violate the religious dictates of Gordon’s conscience.

Gordon has the right to due process (granted by God, and protected by the Ninth and Tenth Amendment and the Oregon Constitution and common law). Locke Williams wrote that the divorce case would be dismissed in thirty days “if you take no further action” and at that time, Gordon was satisfied to let the divorce case be dismissed as it was; in other words, the status quo at that time was acceptable. However, less than the three days’ mailing time before the deadline, Locke Williams slipped in an order awarding a large amount of property to Gordon’s wife. Because this happened less than three days’ mailing time before the deadline, Gordon did not have notice of it, nor opportunity to object or otherwise respond--in other words, no opportunity to “take further action”. Note that English common law Due Process is broader than Roman civil law Due Process. Note that there is no document that reflects the People’s adoption of Roman civil law as their own; it was imposed by force of arms and continued in force in England until the present day, and continued in force in the Colonies until the American Revolution, which extinguished all royal power including that portion of the royal power that was derived from Roman power.

***(3) ELEVENTH AMENDMENT DOES NOT APPLY HERE***

The [60] Report and Recommendation states (page 6):

“(2) the Eleventh Amendment bars all claims against State Defendants’ actions in their official capacity; (3) State Defendants Judge Williams and Benton County

Circuit Court staff are entitled to judicial immunity; and (4) relief requested is barred by the Rooker-Feldman doctrine as a matter of law.”

Regarding the Eleventh Amendment, it does not apply here, because the damages would be paid, not from state coffers, but from the bonds of the individual defendants. Note that the Second Amended Complaint (“SAC”), page 5, identifies this case as a “suit on the bond” of an Oregon State Bar Member. I am not suing the State.

To determine whether a governmental agency is an arm of the state, the court should “look to state law and examine ‘whether a money judgment would be satisfied out of state funds, whether the entity performs central governmental functions, whether the entity may sue or be sued, whether the entity has the power to take property in its own name or only in the name of the state, and the corporate status of the entity.’” Hale, 993 F.2d at 1399 (quoting Mitchell v. L.A. Cmty. Coll. Dist., 861 F.2d 198, 201 (9th Cir. 1988)); see also Del Campo v. Kennedy, 517 F.3d 1070, 1077 (9th Cir. 2008); Beentjes v. Placer Cty. Air Pollution Control Dist., 397 F.3d 775, 778 (9th Cir. 2005); Holz v. Nenana City Pub. Sch. Dist., 347 F.3d 1176, 1180 (9th Cir. 2003); Aguon v. Commonwealth Ports Auth., 316 F.3d 899, 901 (9th Cir. 2003); Streit v. Cty. of Los Angeles, 236 F.3d 552, 566 (9th Cir. 2001).

The first, and most important, factor is “whether a judgment against the defendant entity under the terms of the complaint would have to be satisfied out of the limited resources of the entity itself or whether the state treasury would also be legally pledged to satisfy the obligation.”

Durning, 950 F.2d at 1424; see also Beentjes, 397 F.3d at 778; Holz, 347 F.3d at 1182; Streit, 236 F.3d at 566–67; ITSI T.V. Prods. v. Agric. Ass’ns, 3 F.3d 1289, 1292 (9th Cir. 1993); cf.

Regents of the Univ. of Cal. v. Doe, 519 U.S. 425, 430 (1997) (stating that the first factor is of “considerable importance”). Whether the state will be indemnified by a third party for financial liability is irrelevant to this inquiry. See Regents of the Univ. of Cal., 519 U.S. at 431; cf. Schulman v. California (In re Lazar), 237 F.3d 967, 975 (9th Cir. 2001); Ashker v. Cal. Dep’t of Corr., 112 F.3d 392, 395 (9th Cir. 1997).

When analyzing the second factor, the court should construe “central governmental functions” broadly. See Durning, 950 F.2d at 1426.

The third factor of the test is entitled to less weight than the first two factors. See Holz, 347 F.3d at 1187–88; Aguon, 316 F.3d at 903.

Gordon intends to sue for injunctive relief, to prevent Defendants from proceeding further during the course of this litigation and beyond. In short: “I am not of your kingdom. Go away and leave me alone, and stop mis-applying the wrong law (special maritime admiralty, 18 U.S.C. 7(3), martial law, etc.) in the wrong court (Article VII (Amended) as opposed to Article VII (Original), and Article I as opposed to Article III); where is the common law court with a judge who’s not a member of the Bar?” Gordon must be treated via common law, and no other law. State officials sued in their official capacity for injunctive relief are “persons” for purposes of § 1983. See Will, 491 U.S. at 71 n.10; Hartmann v. Cal. Dep’t of Corr. & Rehab., 707 F.3d 1114, 1127 (9th Cir. 2013); Flint, 488 F.3d at 825; Doe, 131 F.3d at 839; Guam Soc’y of Obstetricians & Gynecologists v. Ada, 962 F.2d 1366, 1371 (9th Cir. 1992). See also Paeste v. Gov’t of Guam,

798 F.3d 1228, 1235–40 (9th Cir. 2015) (discussing distinction between suits seeking damages and suits seeking prospective relief); *Thornton v. Brown*, 757 F.3d 834, 839 (9th Cir. 2013).

Judicial immunity for state defendants does not extend to actions for prospective injunctive relief. See *Mireles v. Waco*, 502 U.S. 9, 10 n.1 (1991) (per curiam); *Pulliam v. Allen*, 466 U.S. 522, 541–42 (1984); *Lebbos v. Judges of Superior Court, Santa Clara Cty.*, 883 F.2d 810, 813 & n.5 (9th Cir. 1989); *Ashelman*, 793 F.2d at 1075; see also *Partington*, 961 F.2d at 860 n.8 (declaratory relief). But see *Moore v. Brewster*, 96 F.3d 1240, 1243 (9th Cir. 1996) (“‘The judicial or quasi-judicial immunity available to federal officers is not limited to immunity from damages, but extends to actions for declaratory, injunctive and other equitable relief.’”) (emphasis added) (citation omitted). In 1996, however, Congress amended § 1983 to prohibit the grant of injunctive relief against any judicial officer acting in her or his official capacity “unless a declaratory decree was violated or declaratory relief was unavailable.” 42 U.S.C. § 1983.

In *Seminole Tribe v. Florida*, 517 U.S. 44 (1996) the Supreme Court ruled that the Congress’s authority, under Article One of the United States Constitution, could not be used to abrogate state sovereign immunity. However, the Congress can authorize lawsuits seeking monetary damages against individual U.S. states when it acts pursuant to powers delegated to it by amendments subsequent to the Eleventh Amendment. This is most frequently done pursuant to Section 5 of the Fourteenth Amendment, which explicitly allows the Congress to enforce its guarantees on the states and thus overrides states’ Eleventh Amendment immunity. \*The doctrine was first announced by the Supreme Court in a unanimous decision written by then-Associate Justice William Rehnquist, *Fitzpatrick v. Bitzer*, 427 U.S. 445 (1976). *Bitzer*

“continued the line of reasoning that Rehnquist had acknowledged in *Fry v. United States* ... that cases involving Congress’ authority under Section 5 present different problems than cases involving the Congress’s Commerce Clause authority.”

The Fourteenth Amendment renders the Eleventh Amendment unconstitutional. The Fourteenth Amendment is clear:

“[N]o State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

The Eleventh Amendment does “abridge the privileges or immunities of citizens of the United States.” It provides immunity to certain citizens from the same laws, treatises, and codes all others are forced to obey. Locke Williams did “deprive any person of life, liberty, or property, without due process of law” in this case. The Eleventh Amendment is unconstitutional for other reasons as well.

Article III, Section 2, which grants federal jurisdiction over suits “between a State and Citizens of another State”, has never been repealed, and to the extent there is a conflict, the Amendment is unconstitutional. Because all have equal rights, a Citizen of the same state may also sue; besides, Gordon is a citizen of North Dakota, without the boundaries of 1:8:17, not under Statutes at Large, not a Fourteenth Amendment citizen, not a statutory “person”, despite attempts to make him appear to be one through the Buck Act, 4 U.S.C. 105-110 [61 Stat. 644-645] and 40 U.S.C. 255 [46 Stat. 828].

The State of Oregon has consented to be sued, the details of which will be found in discovery.

Under the Rehabilitation Act (and other Acts), if a state's agency receives Federal Funding, they forfeit sovereign immunity. Defendants receive Federal Funding, to be determined in discovery.

Defendants' actions were wanton, reckless, and malicious.

Blackstone states that the King never had such immunity. In addition: "the subordinates of the king could be held accountable for allegations of wrongdoing by the Crown. Blackstone's rationale for such indirect action, which has frequently been characterized by scholars as one of Blackstone's fictions, is that direct action destroys the idea of sovereignty, resulting in distrust on the part of the people, which renders the exercise of governance "precarious and impracticable." For these reasons and because the "law feels itself incapable of furnishing any adequate remedy," new remedies, often indirect in nature, must be established." (28 J.C. & U.L. 97)

In *Chisholm v. Georgia*, 2 U.S. 419, 459 (1793), p. 483, Justice Wilson stated as a fact that prior to the time of Edward I, the king could be sued as a matter of right in his own courts. This is part of English common law, which is preserved in the Ninth and Tenth Amendments.

The Eleventh Amendment is unconstitutional when applied outside the Federal enclave, the areas subject to U.S. Const. 1:8:17. See Harvard Law Review, *The Eleventh Amendment and the Nature of the Union* by Bradford Clark, Volume 123, June 2010, Number 8.



If judicial immunity (and immunity on the part of the other two branches) deprives me of my unalienable common law rights, by what authority does it displace my rights?

***(4) DEFENDANTS ARE COUNTY, NOT STATE, OFFICIALS***

In the alternative and without waiving the foregoing, Locke Williams and Benton County Circuit Court staff are County officials, not State officials; it would be unconstitutional for them to be State officials. Their actions are attributable to an official policy or custom of the county or the actions of a final county policymaker. “[L]iability relies more on final policymaking authority than on the technical characterization of an official as a state or county employee.” *City of St. Louis v. Praprotnik*, 485 U.S. 112, 127 (1988). “It is the individual’s function — not his or her title — that matters.” *Fether v. Frederick Cty*, No. 12-1674, 2013 WL 1314190, at \*7 (D. Md. Mar. 29, 2013). Notwithstanding their status (if any) as state employees, their actions represent Benton County’s policies or customs for which Benton County will be legally responsible. Any decisions categorically holding that such persons are always state actors have been wrongly decided.

In the alternative and without waiving the foregoing, Locke Williams and Benton County Circuit Court staff did not act in their official capacity, and are not entitled to judicial immunity, because they are not properly in office (due to lack of proper Oath of Office properly signed and filed, and due to the absence of a complete unbroken chain of documents connecting them with an Organic Law). Thus, they acted as private individuals, acting “for themselves”, committing wrongs simply as individual acts, such as a trespass, in their individual capacity, not as

governmental officials whose positions involve the exercise of discretion. Gordon will seek punitive damages and compensatory damages.

In the alternative and without waiving the foregoing, all government employees are “persons” under § 1983 and can be sued for anything they do at work that violates clearly established constitutional rights. *Hafer v. Melo*, 502 U.S. (1991). Defendants acted in the “clear absence of all jurisdiction” in the sense of *Stump v. Sparkman*, 435 U.S. 349, 356-57, 98 S.Ct. 1099, 1104-05, 55 L.Ed.2d 331 (1978).

All Defendants conspired together to do all acts complained of. Specifically, Crawford conspired with the State Defendants about the 26+ Orders which were drafted by Crawford and filed into the Benton County court record.

***(5) DEFENDANT BOSS HAS A DUTY TO REDRESS GRIEVANCES***

Defendant Boss has sworn an oath to uphold the USA constitution and Oregon constitution as well as the Constitution and Bylaws of the Oregon Bar and of the American Bar Association. In the alternative and without waiving the foregoing, Defendant Boss has not sworn such an oath.

Boss had a Constitutional duty under the “redress of grievances” clause (Article IV:4 Republican Form of Government), and under Article I, Section 26 of the Oregon Constitution, to make sure the 1:8:17 boundary line is not crossed, and that the correct law is applied both within and without the boundary lines. There are two 1:8:17’s; one is the Constitution and the other is 40 U.S.C. 255 [R.S. §355; 46 Stat. 828], which uses different words (“purchase” and “places”

versus “acquire” and “interest” and “real estate” and “property”). ORS 272.030 (consent to acquire) was used instead of U.S. Const. 1:8:17 (consent to purchase with gold/silver coin).

ORS 272.030 is unconstitutional because it is vague, and in the alternative because it gives a blanket consent to requests that have never been made; this is like a witness answering “Yes” to all questions before they have been asked.

The [60] Report and Recommendation states (page 9):

Plaintiff, however, is not a member of any qualifying party who may submit a request for a written opinion from the Attorney General.

However, Plaintiff Gordon is the legal equivalent of such parties under Or.Const. Article I, Section 20. In addition, the Attorney General has a duty, knowing that the divorce case is being prosecuted outside the law, to put a stop to the deprivation of Gordon’s unalienable common law rights. In addition, the Attorney General has a duty to show the receipt, if there is any, for the purchase of Gordon’s land.

Gordon is asking the Court for the documents that show the metes and bounds of the areas subject to U.S. Const 1:8:17. SOMEBODY is responsible for this; who is it?

## **B. Judicial Immunity**

### ***(6) JUDICIAL IMMUNITY DOES NOT APPLY HERE***

State Defendants’ actions were taken in complete absence of all jurisdiction. The precise acts are not normal judicial functions, because the law applicable to Gordon is common law, and in common law there is no divorce. The events at issue did not arise out of a “confrontation” with

any of the State Defendants. Gordon was never served. The Benton County Circuit Court has jurisdiction only within the Federal areas subject to U.S.Const 1:8:17.

State Defendants are not properly in office, as detailed above, therefore cases about “judges” (such as Meek) do not apply.

The immunity is under 1:8:17. See 18 USC § 241, 242, 243.

ORS 107.105 is unconstitutional as applied, because Gordon has a common law right to stay married, as detailed above.

***(7) ROOKER-FELDMAN DOES NOT APPLY HERE***

Rooker-Feldman is not applicable because Gordon is not trying to use this court to appeal any judgment of the Benton County Circuit Court on its merits; instead, Gordon desires to vacate what appear on the surface to be legitimate acts of a legitimate court, but in fact are void for lack of (among other things) subject matter jurisdiction and geographical jurisdiction, and the signer not being properly in office, and because there were no facts to support the legal conclusion of “person”. A void judgment may be vacated in any court at any time. [footnote: A void judgment, which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, or an order procured by fraud, can be attacked at any time, in any court, either directly or collaterally, provided that the party is properly before the court. See Long v. Shorebank Development Corp., 182 F.3d 548 (C.A. 7 Ill. 1999). “It is clear and well established law that a void order can be challenged in any

court”, OLD WAYNE MUT. L. ASSOC. v. McDONOUGH, 204 U. S. 8, 27 S. Ct. 236 (1907).]

In addition, Gordon desires compensation for damage caused by unlawful acts by Defendants, which would not be part of an appeal. Note that the SAC, page 14, requests “Reversal of one or more unlawful order(s)”; a legitimate but erroneous order is not an “unlawful order” and “Declaratory Relief and Declaratory Judgment and Declaratory Decree ... that the Benton County Circuit Court lacks personal and subject matter jurisdiction over Plaintiff and the case in question”.

(The new Amended Complaint perhaps should include request for declaratory judgment “that Defendants have no right to proceed, and that Gordon has the right to keep and use his money and other property unencumbered by Defendants, and that Gordon has the right to stay married”).

In the alternative and without waiving the foregoing, Gordon is suing Defendants in their PERSONAL capacities. The “Circuit Court for the State of Oregon, Benton County” was never created by law. The “State of Oregon” was never created by law. Defendants were not properly in office. The offices of “Judge” etc. were never created by law. Defendants had no official capacities in which to act, therefore they did NOT act in their respective roles for the Circuit Court for the State of Oregon, Benton County.

See Title 1 USC sections 112 and 113: Statutes at Large are evidences in all courts. See 35th Congress, Sess. II. Ch. 33 (Feb. 14, 1859).

**The undersigned declares:**

**“The edition of the laws and treaties of the United States, published by Little and Brown, shall be competent evidence of the several public and private Acts of Congress, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.” See 1 U.S. Code § 113 (July 30, 1947, ch. 388, 61 Stat. 636; Pub. L. 89–497, §1, July 8, 1966, 80 Stat. 271; Pub. L. 98–497, title I, §107(d), Oct. 19, 1984, 98 Stat. 2291.) See 61 STAT., 80TH CONG., 1ST SESS.-CH. 388-JULY 30, 1947, CHAPTER 388**

**We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America. [1 Stat. 17] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=133>]**

**Section 1. Natural rights inherent in people. We declare that all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper. —**

**Oregon Constitution [11 Stat. 383 (1859)] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=011/llsl011.db&recNum=404>]**

**Justice Story, in United States v. Cornell, 25 Fed. Cas. 646, No. 14,867 (C.C.D.R.I., 1819), expressed doubts as to "whether congress are by the terms of the constitution, at liberty to purchase lands for forts, dock-yards, etc., with the consent of a State Legislature, where such consent is so qualified that it will not justify the 'exclusive legislation' of congress there."**

QUESTION: which Sovereign has jurisdiction over the places on the several lands granted via patent in the year of 1850? See Donation Land Claim Act [Oregon] (1850) Approved September 27, 1850. [9 Stat. 496] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=009/llsl009.db&recNum=523>] Gordon Gefroh, a landholder is the assign and heir **forever** over the several lands in question. The answer to the question of jurisdiction over the places on the lands is either:

1. The Seat of Salem Oregon? or;
2. the Seat of District of Columbia?

**CLAIM # 1:**

It is the presumption that an unconstitutional transfer of jurisdiction from the **Seat** of government of Salem Oregon was ceded by **cession** by the **consent** of the state Legislation and the acceptance of Congress become the **Seat** of the government of the United States, and to exercise like authority over all **places purchased** by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful **buildings.**

REMEDY: Donation Land Claim Act [Oregon] (1850) Section 14 the use of land for forts buildings shall be **reserved and excepted** from the operation of this Act. Approved September 27, 1850. [9 Stat. 496] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=009/llsl009.db&recNum=523>]

ADDITIONAL REMEDY: UCC 1-103 (b) Unless displaced by the particular provisions of the Uniform Commercial Code, the principles of law and equity, including the law merchant and the law relative to capacity to contract, principal and agent, estoppel, fraud, misrepresentation, duress, coercion, mistake, bankruptcy, and other validating or invalidating cause supplement its provisions. QUESTION: What is the provision that displaces common law?

ADDITIONAL REMEDY: Show me

ADDITIONAL REMEDY: The guarantee provided by the Articles I, IV, AND VI, and the Bill of Rights.

### **CLAIM # 2:**

The Benton county court record of instruments drafted by attorney Crawford were court stamped dated and filed into the record. Later the court records were ordered and received by defendant Gordon Gefroh throughout the duration of the case from March 19, 2021 thru December 30<sup>th</sup> 2020. The instruments were marked “All rights reserved without prejudice” and were marked common law unalienable rights without prejudice stating if the common law were abrogated what was the authority that displaced common law. Those marked instruments with common law rights written on them were **ordered** stricken from the record using numerous drafts signed by attorney Crawford ordering the judge to sign the record signed and dated by Locke Williams.



REMEDY: The remedy is provided by UCC 1-103 in the provision part (b) Unless displaced by the particular provisions of the Uniform Commercial Code. Provide the evidence of the displacement of common Law.

ADDITIONAL REMEDY: The guarantee provided by the Articles I, IV, AND VI, and the Bill of Rights and the Oregon Constitution [11 Stat. 383 (1859)] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=011/llsl011.db&recNum=404>].

### CLAIM #3:

Attorney Crawford delivered and served a presentment filed with the county State court by using a non-officer to process serve. The Landholder Gordon Gefroh was delivered a summons march 2020 on the physical land outside the jurisdiction of District of Columbia. The process serve was not served by proper officers of this state according to the provision of the law. And was not served within the limits of lands **acquired** by the United States.

REMEDY: the Oregon Land Grant of 1850 [9 Stat. 496] section 14 "...that such portions of the public lands as may be designated under the authority of the President of the United States, for forts, magazines, arsenals, dock-yards, and other needful public uses, shall be **reserved and excepted** from the operation of this act"

### CLAIM #4:

OSB private membership association a member of ABA. Crawford took an oath with the local Oregon Bar to uphold the Constitution. The law provides provisions to common law including the guarantee provided by the Articles I, IV, AND VI, and the Bill of Rights. The international; boundary of Oregon and its international Laws were stricken off the Benton county court records

in causation of the deprivation of common law rights reserved “without prejudice”. Certain court records were stricken, executing liens on places, Children restrained, banks accounts were garnished without consent, prejudiced of explicit rights reserved “without prejudice”, and no valid power of attorney to act in behalf of another without evidence, including drafting 26 plus orders of presentments to the deprivation of common law rights. including certificates of Dishonors, and Notices of Dishonors. Crawford’s offers were negotiated in return with honor. Gordon’s offers of common law remedy were repeatedly dishonored. The demands of common law “explicit rights reserved without prejudice” were all dishonored. My redress of grievances and common law remedy when the federal law including the constitution offers is my reserved remedy.

REMEDY: UCC 1-103 (b) Unless displaced by the particular provisions of the Uniform Commercial Code, the principles of law and equity, including the law merchant and the law relative to capacity to contract, principal and agent, estoppel, fraud, misrepresentation, duress, coercion, mistake, bankruptcy, and other validating or invalidating cause supplement its provisions.

### **CLAIM #5:**

Opinion Letter makes no findings of facts about the Federal areas, and did not identify the metes and bounds.

QUESTION: Are Landholder Gordon’s “places” (described in the Land Patents as “land”), subject matter, and personal matter, within, or without, the Federal areas described in U.S. Const 1:8:17?

REMEDY: Provide Gordon with a proper Opinion Letter about the “purchase” with the consent of the State Legislature, identifying the metes and bounds.

ADDITIONAL REMEDY: The Guarantee of IV:4, Republican Form of Government, and I:10 (Gold and Silver Coin), and VI (“Judge” not “Bar Member”) and all of the Bill of Rights and the religious dictates of Gordon’s conscience “let no man put asunder”.

I do not **consent** to the following presumptions: (see UCC 1-206).

1. legislated statute at large, U.S. Const. Art 1:8:17 [9 Stat. 14]  
[<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137>] under the provision of 40 U.S.C. 255 [R.S. §355; 46 Stat. 828]  
[<https://law.justia.com/codes/us/2001/title40/chap3/sec255/>], 40 U.S.C. 3111 [116 Stat. 1144] [<https://www.law.cornell.edu/uscode/text/40/3111>], 40 U.S.C. 3112, [116 Stat. 1144.]) [<https://www.law.cornell.edu/uscode/text/40/3112>] and
2. the Oregon state legislated statute “consent” contract under the provision of ORS 272.030?.
3. Amendment XIII U.S. Const. Section 1. And Oregon Constitution Article 1 section 34.; Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction
4. I do not abode where Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States[.] Article 4 Section 3 Clause 2. I do not consent to any real estate,

property or tenant<sup>2</sup> over Land holder named William Menkle and his wife Nancy Menkle granted on:

- 1122 N. 9th St. Philomath, Oregon, Patent #3821
- 1124 N. 9th St. Philomath, Oregon, Patent #3821
- 23635 Timber Supply Rd. Philomath, Oregon 97370, Patent #760
- 4192 Sussex St. West Linn, Oregon 97068-3723, Patent #568

to heirs and assigns **forever** meaning, at this time, Gordon Gefroh.

5. I do not **consent** to any interests, real property, or partial, concurrent, exclusive, jurisdiction contracts over places named in the land patents presumed by provision of statutes ORS 271.030, 40 U.S.C. 255 [R.S. §355; 46 Stat. 828] [<https://law.justia.com/codes/us/2001/title40/chap3/sec255/>] or by provision legislated stat. of the US Constitution.

QUESTION: Is the Oregon State Sovereign and the Washington DC Sovereign in agreement over rearranged meeting of the minds over the **Consent** provision of the statute, ORS 271.030; where **Consent** is given to the United States to acquire lands for the purpose of erecting thereon any **needful public buildings** under the authority of **any** Act of Congress?

QUESTION: The presumption that the United States may enter upon and occupy such lands which may be purchased or otherwise acquired and shall have the right of exclusive jurisdiction of concurrent, partial, or exclusive jurisdiction and or **Cession** to acquire or purchase of interest or places within the exterior boundaries of Oregon are either under the provisions of stat. 40 U.S.C. 255 [R.S. §355; 46 Stat. 828]

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<sup>2</sup> U.S. Const 1:8:1 says “places purchased.” R.S. 355, says “purchase of the land.” Such words as “real property” and “real estate” and “interest” and “acquire” are artful, deceitful substitutions of words with different meanings.

[<https://law.justia.com/codes/us/2001/title40/chap3/sec255/>], 40 U.S.C. 3111 [116 Stat. 1144]

[<https://www.law.cornell.edu/uscode/text/40/3111>], 40 U.S.C. 3112, [116 Stat. 1144.))]

[<https://www.law.cornell.edu/uscode/text/40/3112>] or provision of article 1:8:17 of the united States Constitution [9 Stat. 14] [[https://memory.loc.gov/cgi-](https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137)

[bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137](https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137)]. over the lands, subject to ORS 272.015 (Service of process). [Amended by 1967 c.421 §183]

QUESTION: If the exterior boundary lines of Oregon and its subdivisions are international boundaries, and within those exterior boundary lines are international laws, where the law provides a provision within its articles cited as UCC 1-103 to invoke common law, the question is what is the authority to abrogate those common law rights and if they have been displaced what's your authority?

QUESTION: under reservation of rights “without prejudice” cited as UCC 1-3080. I demand the performance to provide the authority that displaces any common law right. What is that authority?

QUESTION: Doesn't the officer have a duty to take an sworn oath to uphold the US Constitution and the Oregon Constitution to prevent the prejudice and causation of the deprivation and abrogation of my common law rights to Life Liberty Happiness and the enjoyment of my posterity, or are they immune with immunities to deprive people of common law right and guarantees of a republic form of government within the Union State where the seat of government is Salem Oregon. If that Seat has been abrogated or displaced to another jurisdiction

where is the receipt of that performance that shows the consent and purchase of places from legislation and the acceptance of congress where the Seat of government is District of Columbia over the **physical** land?

**Under 18 U.S.C. 7(3):** [62 Stat. 685] [<https://www.law.cornell.edu/uscode/text/18/7/>]

(3) Any lands reserved or acquired for the use of the United States, and under the **exclusive or concurrent jurisdiction** thereof, or any place purchased or otherwise acquired by the United States by **consent** of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other **needful building**;

QUESTION: Was the place on the **physical land** purchased by consent or acquired by consent of the legislature of the state and the formal acceptance of the United States become the Seat of Government or the Notice of acceptance?

QUESTION: If the formal acceptance of the United States become the Seat of Government where are the needful buildings?

**Note: 18 U.S.C. 7(3) Exclusive jurisdiction** Under 18 U.S.C. 7(3): [62 Stat. 685]  
[<https://www.law.cornell.edu/uscode/text/18/7/>]

(3) Any lands reserved or acquired for the use of the United States, and under the **exclusive or concurrent jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other needful building; strikingly resembles exclusive legislation under US Constitution provisions of article 1:8:17 [9 Stat.**

14] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137>]

**17. The Congress shall have power, To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;--And**

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

**The US Constitution provisions of article 1:8:17 [9 Stat. 14] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137>];**

establishes the boundary line metes and bounds over places between common law jurisdiction, and special maritime admiralty jurisdiction.

QUESTION: are the lands of Oregon under the seat of government of Oregon or under the seat of government of Washington District Columbia by provision of contract statute or by the provision of the supreme law of the land?

QUESTION: where is the receipt of the places purchased on the PHYSICAL LAND describing the metes and bounds and the formal acceptance of congress where Washington DC becomes the Seat of Government?

40 U.S.C. 255 [R.S. §355; 46 Stat. 828]

[<https://law.justia.com/codes/us/2001/title40/chap3/sec255/>] (c) Presumption ..... it shall be conclusively presumed that no such jurisdiction has been accepted?

Without dishonoring the instruments, UCC 3-501, I return all orders “see exhibit A”, (i) I return the instrument for lack of a necessary indorsement, signed under penalties of perjury and I (ii) refuse payment or acceptance for failure of the presentment to comply with the terms of the response to the Benton county Summons instrument dated March 2020, UCC 1-103; an agreement of the common law; applicable law or rule under signed under reservation of unalienable rights unless it is abrogated and displaced.

QUESTION: What is the Authority that displaced my common law rights? See Exhibit B, opinion letter of Benton county court.

**I do not consent** to any of the Orders issued by this Court. I hereby revoke any consent to such orders, that may have been given in the past.

QUESTION: See UCC 1-103 If my Unalienable Common Law Rights have been Abrogated what is the Displacement Authority?. **The seat of government** Article 4 Sec 4; The United States shall guarantee to every State in this Union a Republican Form of Government.



Article I Section 10: No State shall ... make any Thing but gold and silver Coin a Tender in Payment of Debts[.] **The Constitution says:** “all Places purchased by the Consent of the Legislature of the State” but the above-mentioned statutes say “lands acquired,”

QUESTION: Is the federal statute 40 U.S.C. 255 [R.S. §355; 46 Stat. 828]  
[\[https://law.justia.com/codes/us/2001/title40/chap3/sec255/\]](https://law.justia.com/codes/us/2001/title40/chap3/sec255/), 40 U.S.C. 3111 [116 Stat. 1144]  
[\[https://www.law.cornell.edu/uscode/text/40/3111\]](https://www.law.cornell.edu/uscode/text/40/3111), 40 U.S.C. 3112, [116 Stat. 1144.])  
[\[https://www.law.cornell.edu/uscode/text/40/3112\]](https://www.law.cornell.edu/uscode/text/40/3112) unconstitutional?.

QUESTION: Does the Oregon state’s consent come from the provision of the statute under ORS 272.030?: **“Consent** is given to the United States to acquire lands for the purpose of erecting thereon any needful public buildings, under authority of any Act of Congress. The United States may enter upon and occupy such lands which may be purchased or otherwise acquired, and shall have the right of exclusive jurisdiction over the lands”, Or from US constitution 1:8:17 [9 Stat. 14] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137>]?: “to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings”, or from the consent of the Landholder?

QUESTION: Is Gordon Gefroh the holder in due course by assign and heirs **forever** over physical land under the Land patent granted by The President of the United States of America signed in the year of 1850:

- 1122 N. 9th St. Philomath, Oregon, Patent #3821
- 1124 N. 9th St. Philomath, Oregon, Patent #3821
- 23635 Timber Supply Rd. Philomath, Oregon 97370, Patent #760
- 4192 Sussex St. West Linn, Oregon 97068-3723, Patent #568

needful building (1:8:17 and statutes) of the “physical land”. Were these places acquired by any of the following methods?

- A. **Where it reserved** such jurisdiction upon entry of the state into the union;
- B. **Where, prior to February 1, 1940**, it acquired property for a purpose enumerated in the Constitution with the consent of the state;
- C. **Where it acquired property** whether by purchase, gift or eminent domain, and thereafter, but prior to February 1, 1940, received a cession of jurisdiction from the state; and
- D. **Where it acquired the property**, and/or received the state's consent or cession of jurisdiction after February 1, 1940, and has filed the requisite acceptance.

**See Oregon Land Grant** 1850 [9 Stat. 496] section 14 Land use of clause 17 reserved and excepted from the operation of this act. **Personal Jurisdiction** ORS 272.015; Process

Serve: Service of process. All civil or criminal process issued under the authority of this state may be executed by the proper officers of this state upon any person amenable to the process within the limits of lands acquired by the United States under; ORS 272.020, 272.030, 272.033 and 272.036, in like manner and to the same effect as if those sections had not been enacted.

[1967 c.421 181]

QUESTION: UCC 3-501; **where are the receipts?** I cited UCC 3-501 to evidence the congress shall exercise exclusive legislation and the execution of authority by the duty of an officer a member of the bar a volunteer requisite to be an attorney a person acting as a third party to the deprivation of Gordons rights reserved March 2020 is Guaranteed by compact all common law rights under the Seat of government of Oregon a member of the Union of the United States of America.

**Gordon Gefroh was not properly served** within the lands acquired by the United States under 272.020, 272.030, 272.033 and 272.036. **Under reservation of common law rights** cited UCC 1-308; **The state defendants who ordered**, engaged, transacted, under contract under; ORS provisions of 272.020, 272.030, 272.033 and 272.036; and under the provisions of; 40 U.S.C. 255 [R.S. §355; 46 Stat. 828] [<https://law.justia.com/codes/us/2001/title40/chap3/sec255/>], 40 U.S.C. 3111 [116 Stat. 1144] [<https://www.law.cornell.edu/uscode/text/40/3111>], 40 U.S.C. 3112, [116 Stat. 1144.)) [<https://www.law.cornell.edu/uscode/text/40/3112>] or under the; US Constitution art. 1:8:17 [9 Stat. 14] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137>];

**Have a Duty to uphold the Constitution**, and to execute the remedy provided by The United States Constitution Articles 1-6 and Bill of Rights provisions, including the provisions of; UCC 1-103 common law and to Perform without the prejudice of all rights reserved cited UCC 1-308 to provide all receipts to the purchase of places, to evidence the location of the metes and bounds of the physical land to try the facts where Gordon abodes, earns, transacts, engages his common law rights guaranteed by provisions of the Constitution of the United States of America

and are **upheld** by the provisions of the Oregon Constitution and its Bill of Rights over **places** where the Seat of Government **is** Salem Oregon a Union State. or the Seat of Government of the District of Columbia and to the cession of those places by the consent of the State legislature under the provision of the United States Constitution art. 1:8:17 [9 Stat. 14]

[<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137>];

1. receipt evidencing notice of acceptance and
2. receipt evidencing formal acceptance of congress
3. receipt evidencing the purchase of the physical land where the seat of government became the seat of district of Columbia over the Gordon's places of physical land identified as certificate patent numbers as quoted above

United States is a corporation as defined 28 U.S.C. 3002 [104 stat. 4933].

QUESTION: Is the United States corporation the seat of government authorized by provision in statute 40 U.S.C. 255 [R.S. §355; 46 Stat. 828]

[<https://law.justia.com/codes/us/2001/title40/chap3/sec255/>] or is the United States of America the seat of government authorized by provision in the US Constitution art. 1:8:17 [9 Stat. 14]

[<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137>]?

QUESTION: Is District of Columbia a corporation by provisions of a statute? Or by the provisions of the United States Constitution of 1789?

US Constitution art. 1:8:17 [9 Stat. 14] [<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=137>] To exercise exclusive

legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;--And

US Constitution art. 1.8.18; To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.....

QUESTION: Is there any Judge who is not a member of the private local bar and not associated by membership with the American bar association? invoke the Article III court of the federal government and the Article VII court of Oregon to try common law cases?

### **Conclusion**

Congress has limited, enumerated powers (Article I). The presumed cession of all of America to become a Federal area under 1:8:17, via 40 U.S.C. 255 [R.S. §355; 46 Stat. 828] and ORS 272.030, was unconstitutional because it exceeded those powers.

If Gordon's Article IV:4 guarantee has been displaced, where is the authority? If Gordon's common law rights have been displaced, what is the authority? If Gordon's rights as reserved without prejudice consistently throughout this case have been displaced, what is the authority? See UCC 1-103.

For all the above reasons, the Complaint should not be dismissed.

I reserve the right to amend the Complaint, in the event that the Court concludes that it does not state a claim as it is.

Equality is mandatory and paramount under the law.

I continue to reserve all my unalienable common law rights without prejudice.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct pursuant to 28 U.S.C. 1746.

“Without Prejudice”

Executed on: 3/24/2021

/s/ Gordon Gefroh  
Gordon Gefroh  
P.O. Box 1077  
Philomath, Oregon 97370

**Certificate of Service**

I certify that the following parties, to the extent they signed up for PACER, were served by the ECF system:

Frederick Boss  
Judge Locke Williams  
c/o Breanna L. Thompson

Beth Crawford  
c/o J. Nicole DeFever

All rights reserved without prejudice

Date: 3/24/2021

/s/ Gordon Gefroh

Gordon Gefroh  
P.O. Box 1077  
Philomath, Oregon 97370